

### **REMARKS/ARGUMENTS**

The present amendments are submitted in response to the outstanding Office Action dated April 5, 2004, and is believed to be fully responsive to the objections and rejections and raised therein.

Claims 1-5 and 8-22 are pending in the present application. By this amendment, only claims 3, 4, 11, 16-18 and 21 remain.

In paragraph 1 of the Office Action, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. In particular, the examiner noted that the recitation "receiving said one or more first preamble information bits after detecting said one initial detection sequence: receiving said one or more second preamble information bits after detection said one unique word," recited in claim 1 does not have proper antecedent basis in the specification.

Reviewing claim 1 of the present application, cannot find the two lines quoted by the examiner in claim 1. The only receiving step recited in claim 1 is the step of "receiving at the receiver, said preamble synchronization sequence;" and there is no second receiving step as noted by the examiner. In any event, as claim 1 is being cancelled, submits that this matter is moot. While subsequent claims dependant on claim 1 have been amended, the language the examiner is objecting to does not appear in these amended claims.

In paragraph 3 of the Office Action, claims 1-3, 8-10, 13, 14 and 22 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-3 of U.S. Patent 5,668,431.

In response, claims 1, 2, 8-10, 13, 14 and 22 have been canceled. With regard to claim 3, submits that claim 3 would not have been obvious in view of the '431 (Saw et al) reference. In particular, Saw et al. does not teach a plurality of initial detection sequences in which one or more pairs of initial detection sequences are provided and each pair of initial detection sequence comprises a first initial detection sequence and a second initial detection sequence where the second initial detection sequence is the logical inverse of the first detection sequence. Absent such teaching or suggestion, submits that claim 3 is patentable over the art of record. Claim 3 has been rewritten in independent form to include the limitation of claim 1.

In paragraph 4 of the Office Action, claims 5 and 12 were rejected under judicially created doctrine of obviousness-type double patenting over claims 1-3 of the Saw et al. reference in view of Schmidt, et al. In paragraph 5, claims 15, 19 and 20 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of the Saw, et al patent in view of Fleming, III, et al.

In paragraph 7 of the Office Action, claims 1, 8 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nagata, et al. In paragraph 9 of the Office Action, claims 2, 5, 10, 12 and 22 were rejected under 35 U.S.C § 103(a) as being unpatentable over Nagata in view of Schmidt, et al. In paragraph 10, claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagata, et al. In paragraph 11, claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagata, et al. in view of Fleming, III, et al. Finally, in paragraph 12, claims 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagata in view of Fleming, III, et al.

Appln. No.: 10/027,234  
Amendment dated July 29, 2004  
Reply to Office Action of April 5, 2004

In response to these rejections, submits that claims 1, 2, 5-10, 10, 12-15, 19, 20 and 22 have been canceled. Only the claims the examiner indicated as being allowable in paragraph 13, namely claims 4, 11, 16-18 and 21, as well as claim 3 are pending in the present application. Claims 3, 4, 11, 16, 17 and 21 have been rewritten in independent form to include the limitations of all base claims and intervening claims.

In view of the foregoing amendments and comments, submits that all the remaining claims are in condition for allowances. Favorable consideration on the merits is respectfully requested. Submitted herewith is a petition for a one month extension of time extending the period for responsive to and including August 5, 2004. hereby petitions for any other extensions of time which may be required and you are authorized to charge deposit account number 19-0733. Any fees necessary to maintain the pendency in the present application. Any issues remain which can thus be solved by a personal call or a telephone interview, the examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

Dated: 7-29-04

By: 

Douglas W. Robinson  
Registration No. 32,751

1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Tel: (202) 824-3000  
Fax: (202) 824-3001

DWR:sc/jlg